

Appl. No. 10/089,200
Amdt. dated August 1, 2005
Reply to Office action of April 1, 2005

REMARKS

Reconsideration is respectfully requested. Claims 21-42 are present in the application. Claims 1-20 were canceled previously. Claims 28, 37 and 39 are amended herein. New claims 41 and 42 are added. The remaining claims are not amended in this response.

Claims 37-40 are indicated to be allowable if rewritten to independent form. Accordingly, claims 37 and 39 have been written to independent form.

Claims 21-31, 34 and 35 are rejected as allegedly being obvious in view of U.S. 6,575,735 (Lloveras Capilla) under 35 U.S.C. §103(a), while claims 32, 33 and 36 are rejected as allegedly being anticipated by U.S. 6,575,735 (Lloveras Capilla) under 35 U.S.C. §102(b). Applicant respectfully traverses.

The device shown by U.S. 6,575,735 (Lloveras Capilla) employs dual actuation buttons having 2 different required forces to depress the buttons. The buttons are either in a split side-by-side form as shown in FIG. 1 or are in a form having one button being disposed inside of the area of the other button (see FIGs. 3(a), 3(b) and 4 of U.S. 6,575,735 (Lloveras Capilla)).

Applicant respectfully submits that the configuration shown by U.S. 6,575,735 (Lloveras Capilla) does not meet the language of "an actuation member" and the interreaction thereof with other

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claim elements as recited in independent claims 21 and 32, but instead shows plural actuation members. In view of this, the rest of the limitations of the independent claims 21 and 32 are not shown or suggested, since the first and second elastic members of 6,575,735 (Lloveras Capilla) interact with separate and different actuation members, and do not, as recited by the claims, have:

a first elastic member positioned to resist actuation movement of the actuation member having:

a first spring rate; and

a second elastic member positioned in parallel with said first elastic member to resist actuation movement of the actuation member having:

a second spring rate higher than said first spring rate, said second elastic member being positioned for engagement to resist actuation movement of the actuation member only after more than half of the actuation movement of said first elastic member, whereby the effective spring rate to resist pressing movement of the actuation member sharply increases during the ignition actuation.

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If we choose one of the first actuator 1 or second actuator 3 of Lloveras Capilla to correspond to the "actuation member" of applicant's claims, then, for example, the language of claim 21 is neither taught nor suggested, because there is none of the recited structure or interaction.

Also, for claim 32, there is no teaching or suggestion of the claim language by Lloveras Capilla. Lloveras Capilla is incapable of operation as applicant claims. Lloveras Capilla does not have a first elastic member positioned to resist pressing movement of the actuation member and a second elastic member positioned to act in parallel with said first elastic member to resist pressing movement of the actuation member.

Lloveras Capilla shows something entirely different. The springs of Lloveras Capilla interact with first and second different actuators. This is different from and neither teaches nor suggests applicant's claimed device.

Lloveras Capilla does not show "an actuation member" to accomplish results but instead shows 2 actuation members to accomplish the results.

It is submitted that therefore, claims 21-36 are not shown or suggested by Lloveras Capilla.

New claims 41 and 42 that depend on claims 32 and 21, are added, further reciting that the actuation member has a unitary surface for digital engagement by the user. As noted above, this is different from the split button or 2 part button shown

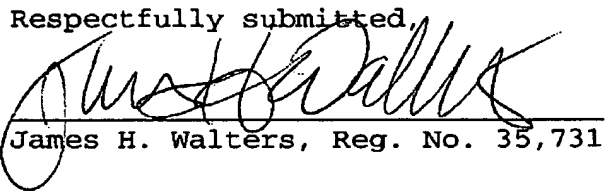
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by the 6,575,735 Lloveras Capilla patent. Support for this amendment is apparent from the drawings, see FIGs. 1, 2(a), 2(b), 3(a), 3(b) and 3(c). Also, see page 8, lines 4-5, and the interaction with the user's finger in FIGs. 3(a)-3(c), as well as the overall discussion of the invention in the specification.

Claim 28 is amended to depend on claim 22, rather than on claim 27, to correct a typographical error.

In light of the above noted amendments and remarks, this application is believed in condition for allowance and notice thereof is respectfully solicited. The Examiner is asked to contact applicant's attorney at 503-224-0115 if there are any questions.

Respectfully submitted,


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